



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNC

### **Introduction:**

The Application for Dispute Resolution filed by the Tenants seeks an order to cancel the one month Notice to End Tenancy dated March 11, 2019

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Rather than proceeding with the litigation the parties reached a settlement which is recorded below.

I find that the one month Notice to End Tenancy was served on the Tenants by mailing, by registered mail to where the Tenants reside on March 11, 2019. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord by mailing, by registered mail to where the landlord resides on or about March 25, 2019. The landlord acknowledged receipt of the Application.

### **Issues to be Decided:**

The issue to be decided is whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated March 11, 2019?

### **Background and Evidence:**

The tenancy began on December 11, 2018. The tenancy agreement provided that the tenant(s) would pay rent of \$1100 per month payable in advance on the first day of each month. The landlord testified she agreed to a short term discount of \$50 per month reducing the rent to \$1050. The tenant(s) paid a security deposit of \$550 at the start of the tenancy.

### **Grounds for Termination:**

The Notice to End Tenancy identifies the following grounds:

- Tenant or a person permitted on the property by the tenant has:
  - significantly interfered with or unreasonably disturbed another occupant or the landlord
  - ....
  - put the landlord's property at significant risk

**Settlement::**

The parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The parties mutually agree to end the tenancy on May 31, 2019.
- b. The parties request that the arbitrator issue an Order of Possession for May 31, 2019.

**Order for Possession:**

As a result of the mutual agreement to end the tenancy I granted an Order of Possession effective 5:00 p.m. May 31, 2019. .

The tenants must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

**This decision is final and binding on the parties.**

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Residential Tenancy Act.

Dated: April 30, 2019

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Residential Tenancy Branch